

Thursday, July 16, 1998

# Daily Digest

## HIGHLIGHTS

Senate passed Agriculture Appropriations, 1999.

## Senate

### Chamber Action

*Routine Proceedings, pages S8269–S8423*

**Measures Introduced:** Eight bills were introduced, as follows: S. 2317–2324. **Page S8382**

**Measures Reported:** Reports were made as follows: H.R. 1085, to revise, codify, and enact without substantive change certain general and permanent laws, related to patriotic and national observances, ceremonies, and organizations, as title 36, United States Code, "Patriotic and National Observances, Ceremonies, and Organizations".

S. Res. 207, commemorating the 20th anniversary of the founding of the Vietnam Veterans of America.

S. 1134, granting the consent and approval of Congress to an interstate forest fire protection compact.

S. 1645, to amend title 18, United States Code, to prohibit taking minors across State lines to avoid laws requiring the involvement of parents in abortion decisions, with an amendment in the nature of a substitute.

S. 2192, to make certain technical corrections to the Trademark Act of 1946.

S. 2193, to implement the provisions of the Trademark Law Treaty.

S.J. Res. 35, granting the consent of Congress to the Pacific Northwest Emergency Management Arrangement. **Page S8381**

### Measures Passed:

**Agriculture Appropriations, 1999:** By 97 yeas to 2 nays (Vote No. 209), Senate passed H.R. 4101, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, after striking all after the enacting clause and inserting in lieu thereof the text of S. 2159, Senate companion measure, after taking action on amendments proposed thereto, as follows:

**Pages S8269–73, S8275–81, S8283–85, S8287–93, S8297–S8330**

Adopted:

By 71 yeas to 28 nays (Vote No. 206), Grassley Amendment No. 3172, to express the sense of the Senate concerning appropriate actions to be taken to alleviate the economic effect of low commodity prices. **Pages S8269–73, S8275–81**

Conrad/Dorgan Amendment No. 3173, to provide funds for and improve the reserve inventories program. **Pages S8288–92**

By 65 yeas to 34 nays (Vote No. 207), Harkin Amendment No. 3175, to provide funding for programs of the Food Safety Initiative. **Pages S8297–S8306**

Robb Amendment No. 3177, to waive the statute of limitations barring certain discrimination complaints against the Department of Agriculture. **Pages S8307–09**

Cochran (for Brownback) Amendment No. 3178, to direct the Secretary of Agriculture to improve the Census of Agriculture by eliminating redundant questions and removing penalties. **Pages S8309–14**

Cochran (for Levin) Amendment No. 3179, to authorize the Secretary of Agriculture to use certain funds to carry out a tree assistance program and to clarify the eligibility of certain producers for assistance under the program. **Pages S8309–14**

Cochran (for Kerrey/Roberts) Amendment No. 3180, to require the Secretary of Agriculture to assist the Commission on 21st Century Production Agriculture to conduct a study to guide the development of future Federal agricultural policies. **Pages S8309–14**

Cochran (for Graham) Amendment No. 3181, to require country of origin labeling of perishable agricultural commodities imported into the United States and to establish penalties for violations of the labeling requirements. **Pages S8309–14**

Cochran (for Bumpers) Amendment No. 3182, to express the sense of the Senate that unauthorized user fees submitted in the President's budget have resulted in shortfalls for specified programs. **Pages S8309–14**

Cochran (for Feingold/Jeffords) Amendment No. 3183, to require the Secretary of Agriculture to establish and maintain within the Department of Agriculture an Office of the Small Farms Advocate.

Pages S8309–14

Cochran (for Dorgan) Amendment No. 3184, to limit the penalty for an inadvertent violation of a contract under the Agricultural Market Transition Act.

Pages S8309–14

Cochran (for Craig/Lugar) Amendment No. 3185, to amend the Energy Policy Act of 1992 to take into account newly developed renewable energy-based fuels and to equalize alternative fuel vehicle acquisition incentives to increase the flexibility of controlled fleet owners and operators.

Pages S8309–14

Cochran (for Bumpers) Amendment No. 3186, regarding rural housing service awards.

Pages S8309–14

Cochran (for Hatch) Amendment No. 3187, to require the Secretary of Agriculture to submit a plan to Congress for the lifting of the ban on interstate distribution of state inspected meat.

Pages S8309–14

Cochran (for Coverdell/Cleland) Amendment No. 3188, to modify the prohibition on loan guarantees to borrowers that have received debt forgiveness.

Pages S8315–16

Cochran (for Coverdell/Cleland) Amendment No. 3189, to modify the factors that are used to determine whether applicants are eligible for farm credit loans.

Pages S8315–16

Cochran (for Coverdell/Cleland) Amendment No. 3190, to prohibit the Secretary of Agriculture from denying an emergency loan to a borrower by reason of the fact that the borrower lacks a particular amount of collateral for the loan if it is reasonably certain that the borrower will be able to repay the loan.

Pages S8315–16

Cochran (for Harkin) Amendment No. 3191, to include the bonus value of commodities in meeting a minimum commodity assistance requirement and to increase the amount appropriated for the WIC program.

Pages S8315–16

Dodd Amendment No. 3176, to require the Secretary of Agriculture to ensure timely notification of recalls of certain drugs and devices.

Pages S8306–07, S8309, S8316–17, S8328–29

Dodd Modified Amendment No. 3192 (to Amendment No. 3176), of a perfecting nature.

Pages S8317, S8328–29

Cochran (for Baucus/Leahy/Sessions) Amendment No. 3194, to increase funding for certain programs of the Cooperative State Research, Education, and Extension Service.

Page S8329

During consideration of this measure today, Senate took the following action:

By 49 yeas to 50 nays (Vote No. 208), three-fifths of those Senators duly chosen and sworn not having

voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act with respect to consideration of Harkin/Reed Amendment No. 3193, to provide additional funding to conduct anti-tobacco activities by the Food and Drug Administration. Subsequently, a point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S8317–24

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair appointed the following conferees on the part of the Senate: Senators Cochran, Specter, Bond, Gorton, McConnell, Burns, Stevens, Bumpers, Harkin, Kohl, Leahy, Boxer, and Byrd.

Pages S8329–30

Subsequently, S. 2159 was returned to the Senate calendar.

**Japanese Market Barriers:** Committee on Finance was discharged from further consideration of S. Con. Res. 88, calling on Japan to have an open, competitive market for consumer photographic film and paper and other sectors facing market access barriers in Japan, and the measure was then agreed to, after agreeing to the following amendment proposed thereto:

Pages S8420–21

Bond (for D'Amato) Amendment No. 3210, to make clarifying corrections.

Pages S8420–21

**Judicial Voluntary Services:** Senate passed S. 2143, to amend chapter 45 of title 28, United States Code, to authorize the Administrative Assistant to the Chief Justice to accept voluntary services, after agreeing to a committee amendment in the nature of a substitute.

Page S8421

**Uranium Hexafluoride Disposition:** Senate passed S. 2316, to require the Secretary of Energy to submit to Congress a plan to ensure that all amounts accrued on the books of the United States Enrichment Corporation for the disposition of depleted uranium hexafluoride will be used to treat and recycle depleted uranium hexafluoride, after agreeing to the following amendment proposed thereto:

Pages S8421–23

Bond (for Ford) Amendment No. 3211, to express the sense of the Senate that sufficient funds are made available to implement a cleanup plan to be developed by the Secretary of Energy.

Pages S8421–22

**VA/HUD Appropriations:** Senate resumed consideration of S. 2168, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1999, taking action on amendments proposed thereto, as follows:

Pages S8330–74

Adopted:

Bond/Cleland/Mikulski Amendment No. 3195, to increase funds for VA homeless grant and per diem program. **Pages S8331–32**

Bond (for McCain) Amendment No. 3196, to require entities that operate homeless shelters to identify and provide certain counseling to homeless veterans. **Pages S8332–33**

Bond/Mikulski/Rockefeller Amendment No. 3197, to provide funds for the implementation of the Primary Care Providers Incentive Act. **Page S8333**

Bond (for Sarbanes/Mikulski) Amendment No. 3198, to provide for the National Fallen Firefighters Foundation. **Page S8334**

Reed Amendment No. 3203, to increase the funding for community development block grants. **Pages S8352–53**

Bond (for Ashcroft/Bond) Amendment No. 3207, to provide for the ineligibility for certain housing assistance of individuals convicted of manufacturing or producing methamphetamine. **Pages S8365–67**

Bond (for Snowe/Collins) Amendment No. 3208, to express the sense of the Senate that it should be the goal of the Department of Veterans Affairs to serve all veterans at health care facilities within 250 miles of their homes. **Pages S8367–68**

Bond/Mikulski Amendment No. 3209, to make certain technical corrections, to ensure that Native American groups are eligible for HUD drug elimination grants, to continue the authority for the HUD (g)(4) auction program, to allow HUD to use data on multifamily housing developed by the Multifamily Housing Institute, to require all agencies under the bill to provide detailed salaries and expenses information, to authorize OSTP to conduct a study on methods for evaluating Federally-funded research and development, to provide for a 12-month notice to tenants before prepaying the mortgage of a preservation project, and to require HUD to improve its management of the FHA. **Pages S8372–74**

Pending:

Wellstone/Murray/McCain Amendment No. 3199, to restore veterans tobacco-related benefits as in effect before the enactment of the Transportation Equity Act for the 21st Century. **Pages S8334–37**

Murkowski Amendment No. 3200, to provide land allotments for certain Native Alaskan veterans. **Page S8337**

Nickles Amendment No. 3202, to provide for an increase in FHA single family maximum mortgage amounts and GNMA guaranty fee. **Pages S8340–52**

Burns Amendment No. 3205, to provide for insurance and indemnification with respect to the development of certain experimental aerospace vehicles. **Pages S8361–62**

Sessions Amendment No. 3206, to increase funding for activities of the National Aeronautics and Space Administration concerning science and technology, aeronautics, space transportation, and technology by reducing funding for the AmeriCorps program. **Pages S8363–65**

Withdrawn:

Daschle Amendment No. 3063, to amend the Public Health Service Act and the Employee Retirement Income Security Act of 1974 to protect consumers in managed care plans and other health coverage. **Page S8330**

Feingold Amendment No. 3201, to provide grants to State educational agencies to enable agencies to determine the benefits of reducing class size on the educational performance of students. **Pages S8339–40**

Kerrey/Hagel Amendment No. 3204, to prohibit the Administrator of the Environmental Protection Agency from implementing or enforcing the public water system treatment requirements related to the cooper action level of the national primary drinking water regulations for lead and copper until certain studies are completed. **Pages S8353–61, H8362–63**

A unanimous-consent agreement was reached providing that when the Senate receives the House companion measure to S. 2168, that all after the enacting clause be stricken and the text of S. 2168, as passed by the Senate, be inserted in lieu thereof, and that the House bill, as amended, be passed. Also, that the Senate insist on its amendment, request a conference with the House thereon, and the Chair be authorized to appoint conferees on the part of the Senate as follows: Senators Bond, Burns, Stevens, Shelby, Campbell, Craig, Mikulski, Leahy, Lautenberg, Harkin, and Byrd. **Page S8374**

A further consent agreement was granted providing that upon passage by the Senate of the House measure, as amended, that the passage of S. 2168 be vitiated and the bill be indefinitely postponed. **Page S8374**

Senate will continue consideration of the bill and amendments pending thereto, on Friday, July 17, 1998, with votes to occur thereon.

**Executive Reports of Committees:** Senate received the following executive report of a committee:

Treaty Doc. 105–43, Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, with one understanding, one declaration and three provisos. (Exec. Rept. No. 105–19) **Pages S8381–82**

**Nominations Received:** Senate received the following nominations:

John D. Hawke, Jr., of the District of Columbia, to be Comptroller of the Currency for a term of five years.

John Melvin Yates, of Washington, to be Ambassador to the Republic of Cameroon. Page S8423

**Communications:** Pages S8380–81

**Executive Reports of Committees:** Pages S8381–82

**Statements on Introduced Bills:** Pages S8382–87

**Additional Cosponsors:** Pages S8387–88

**Amendments Submitted:** Pages S8388–S8413

**Notices of Hearings:** Page S8413

**Authority for Committees:** Page S8413

**Additional Statements:** Pages S8413–20

**Record Votes:** Four record votes were taken today. (Total—209) Pages S8281, S8306, S8323, S8329

**Adjournment:** Senate convened at 10 a.m., and adjourned at 11:55 p.m., until 9 a.m., on Friday, July 17, 1998. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8423.)

## Committee Meetings

(Committees not listed did not meet)

### NOMINATION

*Committee on Armed Services:* Committee concluded hearings on the nomination of Daryl L. Jones, of Florida, to be Secretary of the Air Force, after the nominee testified and answered questions in his own behalf. Testimony was also received on the nomination from Col. Thomas A. Dyches, Detachment Commander, Fighter Reserve Associate Test, Shaw Air Force Base, South Carolina, Daniel Moreno, Jr., Chief, Operations Systems Management, 482d Operations Squadron, Homestead Air Force Base, Florida, Brig. Gen. Allan R. Poulin, Lt. Col. William Vrstil, Lt. Col. Jack H. Connelly (Ret.), Lt. Col. David W. Eastis (Ret.), Maj. Allan F. Estis (Ret.), Maj. Thomas C. Massey (Ret.), and Brig. Gen. James L. Turner (Ret.), all of the U.S. Air Force Reserves; Lt. Col. Thomas E. Sawner, Air National Guard; and Rev. Walter Richardson, Miami, Florida.

### SCHOOLS AND LIBRARIES PROGRAM

*Committee on Commerce, Science, and Transportation:* Committee concluded hearings to examine the operating procedures and internal controls of the Schools and Libraries Corporation to implement Federal Communication Commission orders to administer the universal service fund to improve the access of modern telecommunications services to schools and libraries, after receiving testimony from Judy A. England-Joseph, Director, Housing and Community Development Issues, Resources, Community, and Economic Development Division, and John P.

Finedore, Assistant Director, Accounting and Information Management Division, both of the General Accounting Office; and Ira Fishman, Schools and Libraries Corporation, Washington, D.C.

### HISTORIC PRESERVATION

*Committee on Energy and Natural Resources:* Subcommittee on National Parks, Historic Preservation, and Recreation concluded hearings on S. 155, to redesignate General Grant National Memorial as Grant's Tomb National Monument, S. 1408, to establish the Lower East Side Tenement National Historic Site, S. 1718, to amend the Weir Farm National Historic Site Establishment Act of 1990 to authorize the acquisition of additional acreage for the historic site to permit the development of visitor and administrative facilities and to authorize funds for the acquisition of real and personal property, and S. 1990, to authorize expansion of Fort Davis National Historic Site in Fort Davis, Texas, after receiving testimony from Dennis P. Galvin, Deputy Director, National Park Service, Department of the Interior.

Testimony was also received on S. 1408 (listed above) from Ruth J. Abram, Lower East Side Tenement Museum, New York, New York, and on S. 1718 (listed above) from Constance Evans, Weir Farm Trust, Wilton, Connecticut.

### INTERNET TAX REGULATION

*Committee on Finance:* Committee held hearings on proposals to regulate the taxation of the Internet by placing a moratorium on the ability of State and local governments to impose certain taxes on the Internet, including related provisions of S. 442 and H.R. 4105, receiving testimony from Senators Bumpers, Lieberman, and Wyden; Representative Cox; Joseph H. Guttentag, Deputy Assistant Secretary of the Treasury for International Tax Affairs; John E. McPhee, Director, Office of Computers and Business Equipment, International Trade Administration, Department of Commerce; and Francis J. Kelly, Charles Schwab & Company, Jill A. Lesser, America Online, Harley T. Duncan, Federation of Tax Administrators, Mark E. Nebergall, Internet Tax Fairness Coalition, Raymond C. Scheppach, National Governors' Association, and Mark A. Micali, Direct Marketing Association, all of Washington, D.C.

Hearings were recessed subject to call.

### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded hearings on the nominations of Hugh Q. Parmer, of Texas, to be Assistant Administrator for Humanitarian Response, Agency for International Development, Mary Beth West, of the District of Columbia, for the rank of Ambassador during her tenure of